

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 7-3-03.

I. DISPUTE

Whether there should be reimbursement for CPT codes 90801, 90825 and 90889.

II. FINDINGS and RATIONALE

DOS	CPT CODE	Billed	Recommended Payment	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
7-23-02	90801 (60 min)	\$180.00	\$162.00	C	\$3.00 / min	Rule 133.305(a)(2)(A)	Neither party submitted contract information to determine if the amount of payment recommended was appropriate. The requestor did not dispute that a contract exists between the parties. The insurance carrier recommended payment; however, the requestor reported payment had not been received. Therefore, the recommended payment per contract is due.
7-23-02	90889 (30 min)	\$60.00	\$54.00	C	\$2.00 / min		
7-23-02	90825 (60 min)	\$60.00	\$54.00	C	\$2.00 / min		
TOTAL							The requestor is entitled to reimbursement of \$270.00 .

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for CPT code(s) in the amount of \$270.00. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit **\$270.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Findings, Decision and Order are hereby issued this 09th day of January 2004.

Elizabeth Pickle
Medical Dispute Resolution Officer
Medical Review Division